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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Mr. Bossuyt, Ms. Chavez, Mrs. Koufa, Mr. Eide, Mrs. Gwanmesia, Mr. Decaux and Ms. Palley: draft resolution

Situation in East Timor

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the universally accepted rules of international humanitarian law,

Bearing in mind General Assembly resolution 37/30 of 23 November 1982 and Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976,

Recalling the statements agreed by consensus by the Commission on Human Rights at its forty-eighth and fiftieth sessions (E/1992/22, para. 457 and E/1994/24, para. 482) and resolution 1993/97 of 11 March 1993 adopted by the Commission at its forty-ninth session,

Recalling also its resolutions 1982/20 of 8 September 1982, 1983/26 of 6 September 1983, 1984/24 of 29 August 1984, 1987/13 of 2 September 1987, 1989/7 of 31 August 1989, 1990/15 of 30 August 1990, 1992/20 of 27 August 1992 and 1993/12 of 20 August 1993, as well as the statement made by the Chairman at its forty-third session on the question of the situation in East Timor,

Having examined the note by the secretariat on the situation in East Timor (E/CN.4/Sub.2/1994/14 And Add.1),

Noting with satisfaction the greater access given to East Timor and the visit made by the Special Rapporteur on extrajudicial, summary or arbitrary executions,

Disturbed by reports of continuing violations of human rights in East Timor, including in particular the detention, imprisonment and ill-treatment of persons engaged in the peaceful exercise of their rights and freedoms, such as the freedom of opinion and expression, as well as by reports of forcible removal of prisoners from their original place of residence to serve jail sentences in parts of Indonesia in contravention of international humanitarian law,

1. Expresses its deep concern at reports of continuing violations of human rights in East Timor;

2. Notes with satisfaction the greater access to East Timor and the visit made by the Special Rapporteur on extrajudicial, summary or arbitrary executions;

3. Urges the Indonesian authorities to implement fully the decisions of the Commission on Human Rights as contained in the consensus statements made by the Commission at its forty-eighth and fiftieth sessions and in resolution 1993/97 of 11 March 1993, adopted by the Commission at its forty-ninth session;

4. Also urges the Indonesian authorities to honour the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, regarding the prohibition on removing prisoners from their original place of residence;

5. Decides to consider at its forty-seventh session the situation pertaining to human rights and fundamental freedoms in East Timor, and for this purpose requests the secretariat to transmit to it all relevant information received.